

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

ALPINE SECURITIES CORPORATION,

Defendant.

Civil No. 1:17-CV-04179-DLC

Honorable Judge Denise L. Cote  
Magistrate Judge Ronald L. Ellis

**DECLARATION OF NATHAN D. SIMMONS IN SUPPORT OF ALPINE SECURITIES  
CORPORATION'S MOTION TO DISMISS FOR LACK OF PERSONAL  
JURISDICTION AND IMPROPER VENUE**

I, Nathan D. Simmons, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury under the laws of the United States of America that the following statements are true and correct:

1. My name is Nathan Simmons and I am a resident of Davis County, Utah, am over 18 years of age, and make the statements herein based on my personal knowledge.

2. I am the General Counsel of Alpine Securities Corporation ("**Alpine**"), the Defendant in the above-entitled matter, and I work at Alpine's headquarters..

3. Alpine is a Utah corporation with its headquarters in Salt Lake City, Utah.

4. Utah is Alpine's principal place of business.

5. Alpine does not have an office or employees in New York.

6. Alpine does not operate any other business in New York.

7. Alpine does not have a registered agent in New York.

8. In the course of my duties as General Counsel, I became personally familiar with the facts, parties, and claim in the above-entitled matter.

9. I have reviewed The United States Securities and Exchange Commission's ("SEC's") Complaint filed in the above-entitled matter.

10. Based on the allegations in the SEC's Complaint, and my personal knowledge of the facts and events associated to the allegations in the SEC's Complaint known to me at this time, the following individuals, with their current residency, may be called as witnesses for Alpine in its Defense in the above-entitled matter:

- a. Robert L. Tew, President at Alpine, resides in Utah
- b. Nathan D. Simmons, General Counsel at Alpine, resides in Utah
- c. Erin Zipprich, AML Officer at Alpine, resides in Utah
- d. Joshua Boyer, Director of Operations at Alpine, resides in Utah
- e. Christopher L. Frankel, CEO and CCO at Alpine, resides in Utah and Florida
- f. Randy Jones, Sales and Trading Manager at Alpine (formerly AML Officer), resides in Maine and commutes to work in Utah
- g. Ginnie Griffith (Baldwin), Registered Representative at Alpine, resides in Utah
- h. Erin Lui, Registered Representative at Alpine, resides in Utah
- i. Travis Standiford, former Sales Representative at Alpine, resides in Utah
- j. Todd Groskreutz, former CFO, AML Officer, and FINOP at Alpine, resides in Utah
- k. Elisha L. Werner, former AML Officer and legal counsel at Alpine, resides in Illinois
- l. Leia Farmer, former CCO and AML Officer at Alpine, resides in Iowa

m. Holly Peck (Halpin), former legal counsel and AML Officer at Alpine, resides in Utah

n. Betsy Voter, former General Counsel at Alpine, resides in Utah

o. Mike Bennett, former Associate Counsel at Alpine, resides in Utah

p. Russell Jones, former Associate Counsel at Alpine, resides in Utah

q. Kyle Hampton, former Associate Counsel at Alpine, resides in Utah

r. Doug Wawrzynski, former legal counsel at Alpine, resides in Utah

s. Heather Noble, former Compliance Analyst at Alpine, resides in Utah

t. David Cazier, Controller and FINOP at Alpine, resides in Utah

11. Based on my personal knowledge of the SEC's claim and the filed Complaint in the above-entitled matter, Alpine's documents which may be disclosed in the above-entitled matter, including documents pertaining to any particular account or account activity, including account records, stock and money movements, wire transfers, stock deposits and related due diligence, order ticket and confirmations, trade blotters, and email records are located in Utah.

12. Finally, all drafting and filing of Suspicious Activity Reports ("SARs"), along with assembly and preparation of underlying documents, occurred at Alpine in Utah, and Alpine maintains hard copies of the SARs and the SARs' inquiry files.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct.

DATED this 3rd day of August, 2017.

/s/ Nathan D. Simmons  
Nathan D. Simmons  
*[electronically signed with permission]*